

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE: CRUDE OIL COMMODITY FUTURES	:	
LITIGATION	:	
	:	MASTER FILE
This Document Relates To:	:	No. 11 Civ. 3600 (WHP)
All Actions	:	
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**NOTICE OF MOTION AND MOTION OF DAVID SEIDNER,  
SMW TRADING CO., INC., ADAM HABER, AND FTC CAPITAL GMBH  
FOR APPOINTMENT OF INTERIM LEAD COUNSEL AND APPOINTMENT OF AN  
INTERIM EXECUTIVE COMMITTEE**

PLEASE TAKE NOTICE: Plaintiffs David Seidner, SMW Trading Co., Inc., Adam Haber, and FTC Capital GmbH, through their attorneys, will and hereby do move this Court before the Honorable William H. Pauley, at the Courthouse located at 500 Pearl Street, Courtroom 11D, New York, New York 10007, at a time and date to be set by the Court, pursuant to Federal Rule of Civil Procedure 23(g)(3) for entry of an order:

- (1) appointing J. Douglas Richards of Cohen Milstein Sellers & Toll PLLC as Interim Class Counsel; and
- (2) appointing Bryan Clobes and Anthony Fata of Cafferty Faucher LLP, Samuel Abernethy and Stephen Houck of Menaker & Herrmann LLP, and David Kovel of Kirby McInerney LLP to the Interim Executive Committee.

In support of this Motion, Movants rely on this Notice of Motion and the accompanying Memorandum of Law with attached exhibits.

Dated: New York, New York  
August 11, 2011

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read 'J. Douglas Richards', is written over a horizontal line.

J. Douglas Richards

**COHEN MILSTEIN SELLERS & TOLL PLLC**

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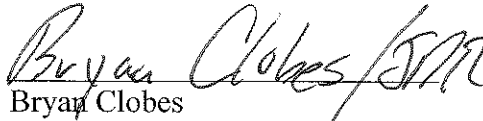
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